

ANNEXATION ORDINANCE NO. X-

04-91

AN ORDINANCE annexing certain territory commonly known as the Villas of The Marketplace Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northwest Quarter of Section 20, and the Northeast Quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana; more particularly described as follows, to-wit:

Beginning at the intersection of the West right-of-way line of St. Joe Center Road with the South line of the Northeast one quarter of Section 19, Township 31 North, Range 13 East; thence North along the West right-of-way line of St. Joe Road to the prolonged South line Southwest of Ordinance X-02-76; thence following in an Easterly direction along the prolonged and South line of Ordinance No. X-02-76; being the existing City Limits line, to the southeast corner of Ordinance No. X-02-76; thence in a Northerly direction of the East line of Ordinance No. X-02-76; being the existing City Limits line, to the South right-of-way line of St. Joseph Center Road; thence in an easterly direction along the South right-of-way line of St. Joseph Center Road to its intersection with the East line of the Northwest quarter of Section 20, Township 31 North, Range 13 East; thence South along the East line of the Northwest quarter of Section 20, Township 31 North, Range 13 East, to the South line of the Northwest quarter of Section 20, Township 31 North, Range 13 East; thence West along the South line of the Northwest quarter of Section 20, Township 31 North, Range 13 East, to its intersection with the West line of the Northwest quarter of Section 20, Township 31 North, Range 13 East; thence continuing West along the South line of the Northwest quarter of Section 19, Township 31 North, Range 13 East, to the point of beginning of the West right-of-line of St. Joe Road.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and



1 population density to the said described territory. The City  
2 of Fort Wayne will also provide services of a capital  
3 improvement nature, including street construction, street  
4 lighting, sewer facilities, water facilities and stormwater  
5 drainage facilities to the annexed territory within three (3)  
6 years of the effective date of annexation, in the same manner  
7 as such services are provided to areas already in the City of  
8 Fort Wayne with similar topography, patterns of land  
9 utilization and population density, and in a manner consistent  
10 with federal, state and local laws, procedures and planning  
11 criteria.

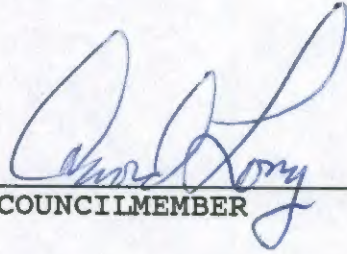
12 SECTION 3. That governmental and proprietary services  
13 will be provided to the above described territory in a manner  
14 consistent with the written Fiscal Plan for the territory  
15 developed by the Division of Community and Economic  
16 Development. Said Plan was examined by the Common Council of  
17 the City of Fort Wayne and is approved and adopted by the  
18 Common Council by and upon the passage of this Ordinance. Two  
19 copies of said plan are on file in the office of the Clerk of  
20 the City of Fort Wayne and are available for inspection as  
21 required by law.

22 SECTION 4. That said described territory shall be a part  
23 of Councilmanic Political Ward No. 2 of the City of Fort  
24 Wayne, Indiana, as described in Division I, Section 2-9 of  
25 Chapter 2 of the Municipal Code of the City of Fort Wayne,  
26 Indiana of 1974, as amended.

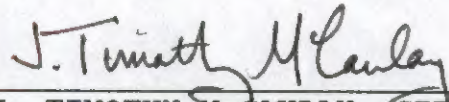
27 SECTION 5. That, after adoption and any and all  
28 necessary approval by the Mayor, this Ordinance shall be  
29 published as provided for in I. C. 36-4-3-7. In the event a  
30 sufficient remonstrance is not filed, the above mentioned  
31 territory shall become part of the City of Fort Wayne on  
32 December 31, 1994. In the event of litigation the ordinance



is effective the first 28th day of February following the  
final decision resolving any remonstrance.

  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

  
J. TIMOTHY MCCAULAY, CITY ATTORNEY

FOUR STAR BOND  
SOUTHWORTH CO. U.S.A.  
25% COTTON FIBER



Read the first time in full and on motion by Long, seconded by Long, and duly adopted, read the second time title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing) to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.

DATED: 12-11-90

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Long, seconded by Long, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>	<u>1</u>		<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY				
LONG	<u>✓</u>			<u>✓</u>
REDD		<u>✓</u>		
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 8-27-91

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. X-04-91 on the 27th day of August, 1991.

ATTEST  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

SEAL  
Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1991 at the hour of 2:00 o'clock \_\_\_\_\_ M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 1st day of September 1991, at the hour of 9:00 o'clock A M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



DIGEST SHEET

TITLE OF ORDINANCE THE VILLAS OF THE MARKETPLACE ANNEXATION

DEPARTMENT REQUESTING ORDINANCE COMMUNITY & ECONOMIC DEVELOPMENT

SYNOPSIS OF ORDINANCE ORDINANCE ANNEXES SAID TERRITORY TO THE CITY

OF FORT WAYNE. THE ANNEXATION AREA MEETS THE TEST FOR ANNEXATION

UNDER STATE LAW IN THAT THE AREA IS A LEAST (12.5%) CONTIGUOUS

TO THE CITY, IS MORE THAN SIXTY (60%) PERCENT SUBDIVIDED AND HAS A

POPULATION DENSITY OF MORE THAN THREE (3) PERSONS PER ACRE.

*X-90-12-18*

*(as amended)*

EFFECT OF PASSAGE DESCRIBED TERRITORY WILL BECOME PART OF THE CITY.

EFFECT OF NON-PASSAGE THE AREA WILL NOT BECOME PART OF THE CITY.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) TO BE EXPLAINED BY THE  
FISCAL PLAN WHICH WILL BE PREPARED BY THE DIVISION OF COMMUNITY  
& ECONOMIC DEVELOPMENT.

ASSIGNED TO COMMITTEE (PRESIDENT) \_\_\_\_\_



## MEMORANDUM

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TO: City Council Members

FROM: Michael A. Sapp, Director of Planning *M.A.S.*

SUBJECT: Villas of the Marketplace Annexation

DATE: August 15, 1991

\*\*\*\*\*

Since December 1990, when the Villas of Marketplace annexation ordinance and resolution were introduced to City Council, members of C&ED's planning staff have been meeting with property owners within the proposed annexation area. Subsequent to the meetings with property owners and consultation with City Attorney, Tim McCaulay, a gentlemen's agreement was reached with the Sunnymeadows Neighborhood Association Board, which represents a majority of property owners within the annexation area. Per the agreement the group will not initiate a remonstrance if the effective date of annexation is delayed until December 31, 1994.

Attached is the Fiscal Plan for the above noted annexation. The Villas of the Marketplace Annexation contains approximately 148 acres of which 124 acres are developed residentially. The remaining acreage includes a mix of commercial, institutional, and right-of-way uses. Approximately 730 persons reside in the area to be annexed.



BILL NO. X-90-12-18 (AS AMENDED)

REPORT OF THE COMMITTEE ON ANNEXATION

DAVID C. LONG, CHAIRMAN  
JANET G. BRADBURY, VICE CHAIRPERSON  
HENRY, EDMONDS, REDD

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) annexing certain  
territory commonly known as the Villas of the Marketplace  
Annexation Area to Fort Wayne and including the same in  
Councilmanic District No. 2

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

*[Signature]*

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*[Signature]*

DATED: *8-27-91*

Sandra E. Kennedy  
City Clerk



FW Common Council  
(Governmental Unit)

To: The Journal-Gazette  
P.O. Box 100  
Fort Wayne, IN  
Dr.

County, Indiana

PUBLISHER'S CLAIM

LEGAL NOTICE  
Notice is hereby given that on the 27th day of August, 1991, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-90-12-18 (as amended) Annexation Ordinance No. X-04-91 to-wit:  
Bill No. X-90-12-18 (As Amended)  
ANNEXATION ORDINANCE NO. X-04-91  
AN ORDINANCE annexing certain territory commonly known as the Villas of The Marketplace Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:  
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SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.  
SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.  
SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.  
SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. In the event a sufficient remonstrance is not filed, the above mentioned territory shall be become part of the City of Fort Wayne on December 31, 1994. In the event of litigation the ordinance is effective the first 28th day of February following the final decision resolving any remonstrance.  
David C. Long  
COUNCILMEMBER  
Read the third time in full and on a motion by Long, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:  
AYES: Seven  
Bradbury, Burns, Edmonds, GiaQuinta, Long, Schmidt, Talarico  
NAYS: One  
Redd  
ABSENT: One  
Henry  
DATED: 8-27-91  
Sandra E. Kennedy  
City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-91 on the 27th day of August, 1991.  
SEAL  
Samuel J. Talarico  
Presiding Officer  
ATTEST:  
Sandra E. Kennedy  
City Clerk  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1991, at the hour of 2:00 o'clock P.M., E.S.T.  
Sandra E. Kennedy  
City Clerk  
Approved and signed by me this 4th day of September, 1991, at the hour of 9:00 o'clock A.M., E.S.T.  
Paul Helmke  
Mayor  
I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-91, passed by the Common Council on the 27th day of August, 1991, and that said Ordinance was duly signed and approved by the Mayor on the 4th day of September, 1991, and now remains on file and on record in my office.  
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 4th day of September, 1991.  
SANDRA E. KENNEDY, CITY CLERK

exceed two actual lines, neither of which shall total  
of type in which the body of the advertisement is set)

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and penalties of Chapter 155, Acts 1953,

regarding account is just and correct, that the amount  
er allowing all just credits, and that no part of the

*Cindy Gillenwater*

, 19 91

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time \_\_\_\_\_, the dates of publication being as follows:

9/9, 16/91

*Cindy Gillenwater*

Subscribed and sworn to before me this 16th day of Sept, 19 91.

*Shelley R. Larue*

Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1994



FW Common Council  
(Governmental Unit)  
Allen  
County, Indiana

To: The News-Sentinel  
P.O. Box 100  
Fort Wayne, IN  
Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

144 lines, 1 cent  
at .495 cents per line

Additional charge for notices  
(50 percent of above amount)

Charge for extra proofs of publication

TOTAL AMOUNT OF CLAIM

DATA FOR COMPUTING CHARGES

Width of single column 12.5

Number of insertions

LEGAL NOTICE

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BILL NO. X-90-12-18 (As Amended)  
ANNEXATION ORDINANCE NO. X-04-91  
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SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan has been examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That, after adoption and any and all necessary approval by the Mayor, this Ordinance shall be published as provided for in I. C. 36-4-3-7. In the event a sufficient remonstrance is not filed, the above mentioned territory shall become part of the City of Fort Wayne on December 31, 1994. In the event of litigation the ordinance is effective the first 28th day of February following the final decision resolving any remonstrance.

Read the third time in full and on a motion by Long, seconded by GlaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven  
Bradbury, Burns, Edmonds, GlaQuinta, Long, Schmidt, Talarico

NAYS: One  
Redd  
ABSENT: One  
Henry  
DATED: 8-27-91

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-91 on the 27th day of August, 1991.

SEAL  
Samuel J. Talarico  
Presiding Officer

ATTEST:

Sandra E. Kennedy  
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1991, at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 4th day of September, 1991, at the hour of 9:00 o'clock A.M., E.S.T.

Paul Helmke  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-91, passed by the Common Council on the 27th day of August, 1991, and that said Ordinance was duly signed and approved by the Mayor on the 4th day of September, 1991, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 4th day of September, 1991.

SANDRA E. KENNEDY, CITY CLERK

9-8-16

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for

2 time(s), the dates of publication being as follows:

9/9, 16/91

Subscribed and sworn to before me this 16th day of Sept, 1991

My commission expires: March 3, 1994

Notary Public Whitley County, IN  
SHELLEY R. LARUE



To: The Journal-Gazette Dr.  
P.O. Box 100  
Fort Wayne, IN

## PUBLISHER'S CLAIM

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Total number of lines in notice

\$ 71.28

2.00

\$ 73.28

Width of single column  $\frac{12.5}{2}$  ems  
Number of insertions \_\_\_\_\_  
Size of type  $\frac{6}{}$  point

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

that no part of the

Cindy Gellmutals

Clerk

Title: \_\_\_\_\_ Clerk

State of Indiana )  
 ) ss:  
Allen County )

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9/9, 16/91

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Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1994

By DAVID MARGOLICK  
New York Times  
COLUMBIA, S.C. — Nearly half  
century and a half ago

Killer's

A crowd gathered outside the Br  
reacts after the execution Friday o

LEGAL NOTICE

Notice is hereby given that on the 27th day of August, 1991, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill, X-90-12-18 (as amended) Annexation Ordinance, X-04-91 to-wit:

Bill No. X-90-12-18 (As Amended)  
ANNEXATION ORDINANCE NO. X-04-91

AN ORDINANCE annexing certain territory commonly known as the Villas of The Marketplace Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

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WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 4th day of September, 1991.

SANDRA E. KENNEDY, CITY CLERK



PUBLISHER'S CLAIM

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Total number of lines in notice

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144 lines, 1 columns wide equals 144 equivalent lines  
at .495 cents per line

\$ 71.28

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 73.28

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Cindy Gillenwater

Clerk

Date: Sept 16, 19 91

Title:

PUBLISHER'S AFFIDAVIT

State of Indiana )  
) ss:  
Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time ( s ), the dates of publication being as follows:

9/9, 16/91

Cindy Gillenwater

Subscribed and sworn to before me this 16th day of Sept, 19 91

Notary Public Whitley County, IN  
SHELLEY R. LARUE

My commission expires: March 3, 1994



Re: Annexation Ord. X-04-91 (Villas of the Marketplace Annexation)

Dear :

Per I.C. 36-4-3-22, please find attached a copy of the above noted annexation which was approved by the City Council

August 27, 1991. The annexation was duly published  
September 9 and 16, 1991.

PLEASE NOTE THAT THIS ANNEXATION DOES NOT BECOME EFFECTIVE  
UNTIL DECEMBER 31, 1994.

If you have any questions concerning this annexation, please contact Gary Stair at 427-1140.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

ENCL:



COPY

91 NOV 19 PM 2:36

91-49722

*Virginia L. Young*  
ALLEN COUNTY RECORDER

Bill No. X-90-12-18 (As Amended)

ANNEXATION ORDINANCE NO. X-

04-91

AN ORDINANCE annexing certain territory commonly known as the Villas of The Marketplace Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be and the same is hereby annexed to, and made a part of, the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northwest Quarter of Section 20, and the Northeast Quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana; more particularly described as follows, to-wit:

Beginning at the intersection of the West right-of-way line of St. Joe Center Road with the South line of the Northeast one quarter of Section 19, Township 31 North, Range 13 East; thence North along the West right-of-way line of St. Joe Road to the prolonged South line Southwest of Ordinance X-02-76; thence following in an Easterly direction along the prolonged and South line of Ordinance No. X-02-76; being the existing City Limits line, to the southeast corner of Ordinance No. X-02-76; thence in a Northerly direction of the East line of Ordinance No. X-02-76; being the existing City Limits line, to the South right-of-way line of St. Joseph Center Road; thence in an easterly direction along the South right-of-way line of St. Joseph Center Road to its intersection with the East line of the Northwest quarter of Section 20, Township 31 North, Range 13 East; thence South along the East line of the Northwest quarter of Section 20, Township 31 North, Range 13 East, to the South line of the Northwest quarter of Section 20, Township 31 North, Range 13 East; thence West along the South line of the Northwest quarter of Section 20, Township 31 North, Range 13 East, to its intersection with the West line of the Northwest quarter of Section 20, Township 31 North, Range 13 East; thence continuing West along the South line of the Northwest quarter of Section 19, Township 31 North, Range 13 East, to the point of beginning of the West right-of-line of St. Joe Road.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection, and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and



1 population density to the said described territory. The City  
2 of Fort Wayne will also provide services of a capital  
3 improvement nature, including street construction, street  
4 lighting, sewer facilities, water facilities and stormwater  
5 drainage facilities to the annexed territory within three (3)  
6 years of the effective date of annexation, in the same manner  
7 as such services are provided to areas already in the City of  
8 Fort Wayne with similar topography, patterns of land  
9 utilization and population density, and in a manner consistent  
10 with federal, state and local laws, procedures and planning  
11 criteria.


12 SECTION 3. That governmental and proprietary services  
13 will be provided to the above described territory in a manner  
14 consistent with the written Fiscal Plan for the territory  
15 developed by the Division of Community and Economic  
16 Development. Said Plan was examined by the Common Council of  
17 the City of Fort Wayne and is approved and adopted by the  
18 Common Council by and upon the passage of this Ordinance. Two  
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20 the City of Fort Wayne and are available for inspection as  
21 required by law.

22 SECTION 4. That said described territory shall be a part  
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24 Wayne, Indiana, as described in Division I, Section 2-9 of  
25 Chapter 2 of the Municipal Code of the City of Fort Wayne,  
26 Indiana of 1974, as amended.

27 SECTION 5. That, after adoption and any and all  
28 necessary approval by the Mayor, this Ordinance shall be  
29 published as provided for in I. C. 36-4-3-7. In the event a  
30 sufficient remonstrance is not filed, the above mentioned  
31 territory shall become part of the City of Fort Wayne on  
32 December 31, 1994. In the event of litigation the ordinance



is effective the first 28th day of February following the  
final decision resolving any remonstrance.

  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

  
J. TIMOTHY McCaulay, CITY ATTORNEY

Attest:

The above and foregoing is a true and  
perfect copy of *Bill No. X-90-12-18*

*(as amended) Amended Ordinance to X-04-91*

as the same appears and remains on  
record in my office.

Witness my hand and seal this *19th*  
day of *November*, 19*91*

  
CLERK



ANNEXATION ORDINANCE NO. X- 04-91

AN ORDINANCE annexing certain territory commonly known as the Villas of The Marketplace Annexation Area to Fort Wayne and including the same in Councilmanic District No. 2.

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4 lighting, sewer facilities, water facilities and stormwater  
5 drainage facilities to the annexed territory within three (3)  
6 years of the effective date of annexation, in the same manner  
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8 Fort Wayne with similar topography, patterns of land  
9 utilization and population density, and in a manner consistent  
10 with federal, state and local laws, procedures and planning  
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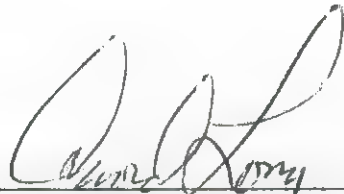
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16 Development. Said Plan was examined by the Common Council of  
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31 territory shall become part of the City of Fort Wayne on  
32 December 31, 1994. In the event of litigation the ordinance



is effective the first 28th day of February following the  
final decision resolving any remonstrance.

  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

  
J. TIMOTHY MCCAULAY, CITY ATTORNEY


Attest:

The above and foregoing is a true and  
perfect copy of *Bill No. X-90-1248*

*(as amended) Amended Ordinance to X-04-91*

as the same appears and remains on  
record in my office.

Witness my hand and seal this *19th*  
day of *November*, *1991*

  
CLERK

AUDITOR'S OFFICE

**FILED**  
NOV 19 1991

  
AUDITOR OF ALLEN COUNTY



ANNEXATION ORDINANCE NO. X- \_\_\_\_\_

1           AN ORDINANCE annexing certain territory  
2           commonly known as the Villas of The  
3           Marketplace Annexation Area to Fort Wayne  
4           and including the same in Councilmanic  
5           District No. 2.

6           BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
7           WAYNE, INDIANA:

8           SECTION 1. That the following described territory be and  
9           the same is hereby annexed to, and made a part of, the  
10          corporation of the City of Fort Wayne, Indiana, to-wit:

11          Part of the Northwest Quarter of Section 20, and the  
12          Northeast Quarter of Section 19, Township 31 North, Range 13  
13          East, Allen County, Indiana; more particularly described as  
14          follows, to-wit:

15          Beginning at the intersection of the West right-of-way line  
16          of St. Joe Center Road with the South line of the Northeast  
17          one quarter of Section 19, Township 31 North, Range 13 East;  
18          thence North along the West right-of-way line of St. Joe  
19          Road to the prolonged South line Southwest of Ordinance X-  
20          02-76; thence following in an Easterly direction along the  
21          prolonged and South line of Ordinance No. X-02-76; being the  
22          existing City Limits line, to the southeast corner of  
23          Ordinance No. X-02-76; thence in a Northerly direction of  
24          the East line of Ordinance No. X-02-76; being the existing  
25          City Limits line, to the South right-of-way line of St.  
26          Joseph Center Road; thence in an easterly direction along  
27          the South right-of-way line of St. Joseph Center Road to its  
28          intersection with the East line of the Northwest quarter of  
29          Section 20, Township 31 North, Range 13 East; thence South  
30          along the East line of the Northwest quarter of Section 20,  
31          Township 31 North, Range 13 East, to the South line of the  
32          Northwest quarter of Section 20, Township 31 North, Range 13  
33          East; thence West along the South line of the Northwest  
34          quarter of Section 20, Township 31 North, Range 13 East, to  
35          its intersection with the West line of the Northwest quarter  
36          of Section 20, Township 31 North, Range 13 East; thence  
37          continuing West along the South line of the Northwest  
38          quarter of Section 19, Township 31 North, Range 13 East, to  
39          the point of beginning of the West right-of-line of St. Joe  
40          Road.

41          SECTION 2. That the City of Fort Wayne will furnish the  
42          above described territory within a period of one (1) year  
43          from the effective date of annexation, planned services of a  
44          non-capital nature, including police protection, fire  
45          protection, and street and road maintenance, in a manner  
46          which is equivalent in standard and scope to those non-  
47          capital services provided to areas within the City of Fort




Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities and stormwater drainage facilities to the annexed territory within three (3) years of the effective date of annexation, in the same manner as such services are provided to areas already in the City of Fort Wayne with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria.

SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Division of Community and Economic Development. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance. Two copies of said plan are on file in the office of the Clerk of the City of Fort Wayne and are available for inspection as required by law.

SECTION 4. That said described territory shall be a part of Councilmanic Political Ward No. 2 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.



SECTION 5. That, after adoption and any and all  
necessary approval by the Mayor, this Ordinance shall be  
published as provided for in I. C. 36-4-3-7. The above  
described territory shall become part of the City of Fort  
Wayne on December 31, 1991.

  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

  
J. TIMOTHY MCCAULAY, CITY ATTORNEY





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

September 5, 1991

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of  
September 9 and September 16, 1991, in both the News  
Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. X-90-12-18 (as amended)  
Annexation Ordinance No. X-04-91

Please send us 4 copies of the Publisher's Affidavit from  
both newspapers.

Thank you.

Sincerely yours,

*Sandra E. Kennedy*  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 27th day of  
August, 19 91, the Common Council of the City  
of Fort Wayne, Indiana, in a Regular Session did pass  
the following Bill No. X-90-12-18 (as amended) Annexation  
Ordinance No. X-04-91 to-wit:

Bill No. X-90-12-18 (As Amended)

ANNEXATION ORDINANCE NO. X-

04-91

AN ORDINANCE annexing certain territory  
commonly known as the Villas of The  
Marketplace Annexation Area to Fort Wayne  
and including the same in Councilmanic  
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BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT  
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Range 13 East; thence South along the East line of the  
Northwest quarter of Section 20, Township 31 North, Range 13  
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South line of the Northwest quarter of Section 20, Township 31  
North, Range 13 East, to its intersection with the West line of  
the Northwest quarter of Section 20, Township 31 North, Range  
13 East; thence continuing West along the South line of the  
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equivalent in standard and scope to those non-capital services  
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25 Chapter 2 of the Municipal Code of the City of Fort Wayne,  
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27 SECTION 5. That, after adoption and any and all  
28 necessary approval by the Mayor, this Ordinance shall be  
29 published as provided for in I. C. 36-4-3-7. In the event a  
30 sufficient remonstrance is not filed, the above mentioned  
31 territory shall become part of the City of Fort Wayne on  
32 December 31, 1994. In the event of litigation the ordinance

1 is effective the first 28th day of February following the  
2 final decision resolving any remonstrance.  
3

4 David C. Long  
5  
6

  
COUNCILMEMBER

Read the third time in full and on motion by Long, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED by the following vote:

AYES: Seven  
Bradbury, Burns, Edmonds, GiaQuinta, Long,  
Schmidt, Talarico  
NAYS: One  
Redd  
ABSENT: One  
Henry  
ABSTAINED: None

DATED: 8-27-91

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-04-91 on the 27th day of August, 1991.

ATTEST:

SEAL

Sandra E. Kennedy  
City Clerk

Samuel J. Talarico  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1991, at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 4th day of September, 1991, at the hour of 9:00 o'clock A.M., E.S.T.

Paul Helmke  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of

Annexation Ordinance No. X-04-91

passed by the Common Council on the 27th day of

August, 19 91, and that said Ordinance was

duly signed and approved by the Mayor on the 4th day of

September, 19 91, and now remains on file and

on record in my office.

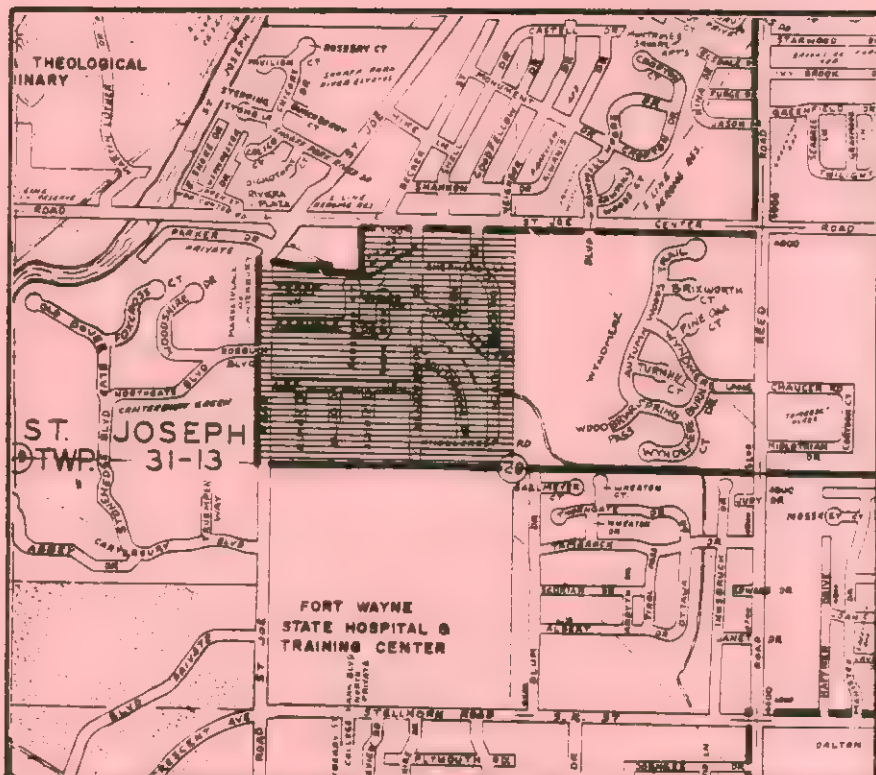
WITNESS my hand, and the official seal of the City of Fort Wayne,

Indiana, this 4th day of September 19 91.

SEAL

  
SANDRA E. KENNEDY, CITY CLERK





ADMINISTRATION AND POLICY DIRECTION

Paul Helmke  
Mayor  
City of Fort Wayne

Greg Purcell, Director  
Division of Community and Economic Development

Michael Sapp  
Director of Planning

Fort Wayne City Plan Commission

Stephen Smith, President  
Melvin Smith, Vice President  
Robert Hutner, Secretary  
Mark Gensic  
Charles Layton  
David Long  
John Shoaff  
Wil Smith  
Yvonne Stam

RESEARCH AND PREPARATION

Gary Stair, Senior Planner  
Rick Kunkel, Planner II



## Introduction

Since its inception, the City of Fort Wayne has been annexating land adjacent to its corporate limits. The Villas of the Marketplace Annexation is a logical continuation of this policy.

This fiscal plan, which is required by State Annexation Law, explains why the Villas of the Marketplace Annexation area meets the State Law requirements for annexation. Also, this plan gives basic data regarding the area, describes the services which will be furnished to the area upon annexation by the City of Fort Wayne, and summarizes the fiscal impact of this annexation upon the City.

The proposed annexation area is approximately 148 acres, and is primarily residential.

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## SECTION ONE

### BASIC DATA

#### A. LOCATION

The area proposed for annexation is located on the northeast side of the City and abuts the City of Fort Wayne on the north, west and south. It is bounded on the west by the west right-of-way of St. Joe Rd., on the south by the south line of the northwest 1/4 of Section 20, township 31 north, range 13 east in St Joseph Township, on the north by the present corporate limits and the south right-of-way line of St. Joe Center Rd., and on the east by the east line of the northwest 1/4 of Section 20, township 31 north, range 13 east in St Joseph Township (See Figure 1).

#### B. SIZE

The Villas of the Marketplace Annexation area contains approximately 148 acres.

#### C. POPULATION

Block statistics from the 1980 Census of Population and Housing shows that 542 persons resided in the Villas of the Marketplace annexation area in 1980. This population figure was based upon a strict computation of census data using only entire block groups within the area. Any block group which was split by boundary lines was not figured in the above total. Current population for the annexation area is estimated to be 729 persons. This figure was derived by multiplying the current number of households in the area by the persons per unit figure in the 1980 Census of Population and Housing.

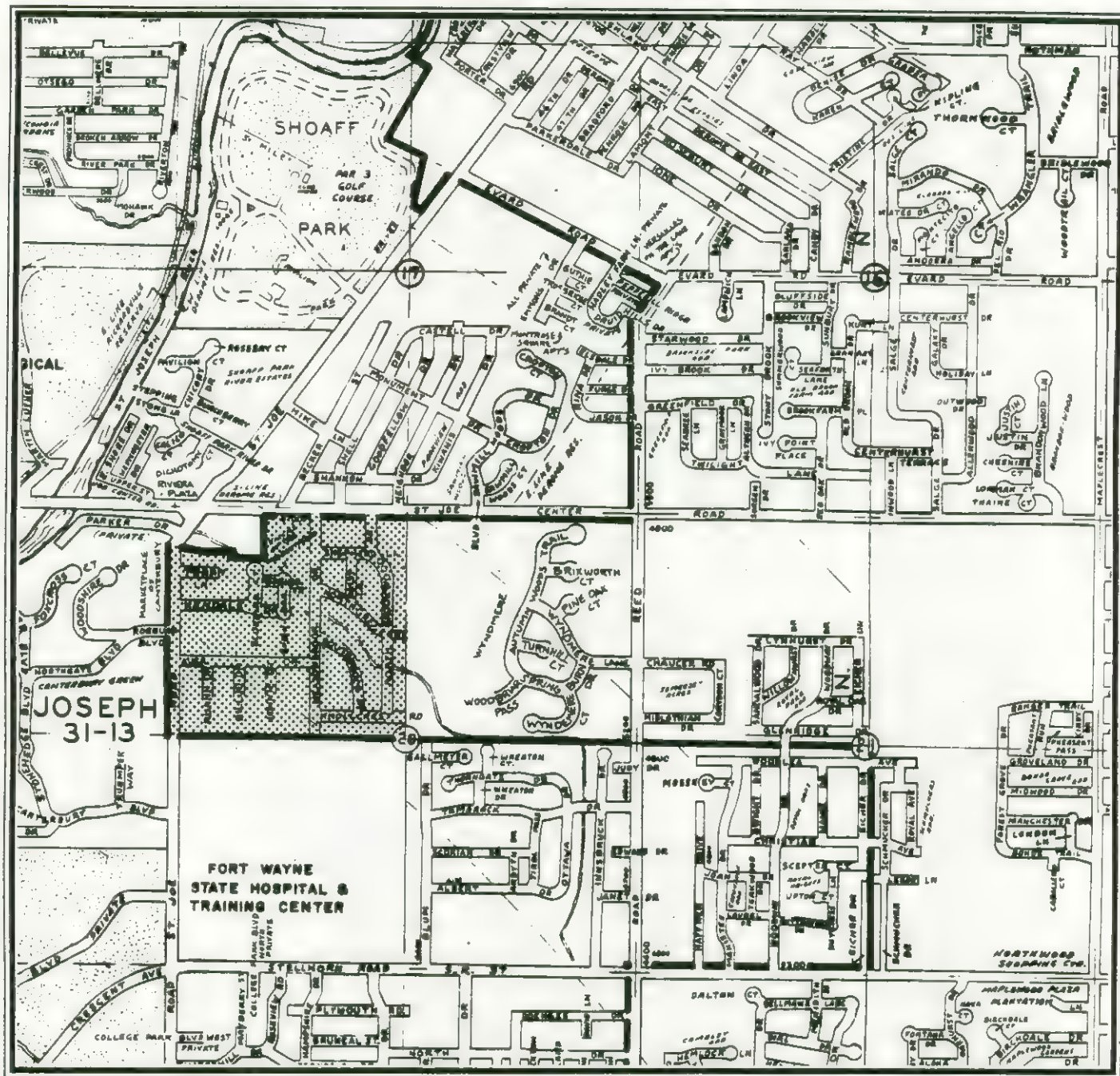
#### D. BUILDINGS

Single Family Residential	179 structures
Duplexes	39 structures
Commercial	6 structures
Institutional ( Church )	1 structure



FIGURE 1

# VILLAS OF THE MARKETPLACE ANNEXATION



Location

E. PATTERNS OF LAND USE

	<u>Acres</u>	<u>Percent</u>
Residential	124	83.4%
Right-of-way	20	13.5%
Commercial	2	1.5%
Institutional	1	0.7%
Vacant Land	1	0.9%
	<hr/>	<hr/>
TOTAL	148.0	100.0%

F. ZONING

The Villas of the Marketplace Annexation area currently contains three zoning classifications (see figure 2). Upon annexation, this area will be under jurisdiction of the City Plan Commission and the zoning classifications will be as follows:

<u>County Zoning Classification</u>	<u>City Zoning Classification</u>
RS1 Suburban Residential	R1 Single Family Residential
C1AP Professional Services (Planned District)	B1A Limited Business District
RS2 Multi-Family Residential	R3 Multi-Family Residential

G. TOPOGRAPHY

The Villas of The Marketplace Annexation area primarily contains Morley-Blount soils. It has been determined by using U.S. Geological Survey Maps that the area has a low relief and that the general slope of the area is 0 to 6 percent.

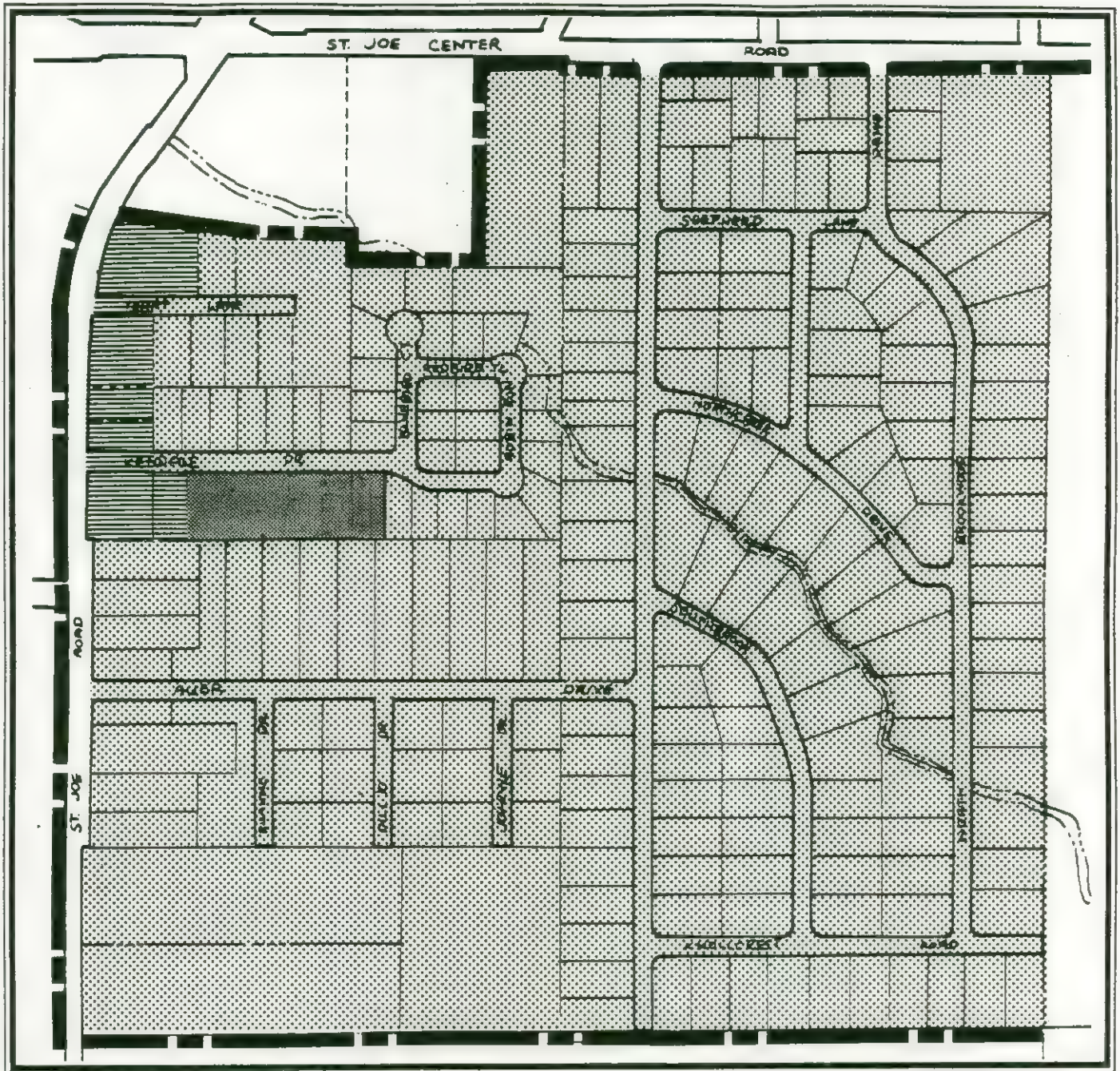
H. ASSESSMENT

\$3,460,640






FIGURE 2

# VILLAS OF THE MARKETPLACE ANNEXATION



## Zoning

	RS-1	Suburban Residential
	RSP-2	Multiple Family (planned)
	C-1A	Professional Services

N  
A

I. NET TAX RATE: (1989 payable 1990 rates)

Existing:	\$4.7619
After annexation:	\$7.3349
Increase:	\$2.5730 (54 % increase)

J. COUNCIL DISTRICT

The Villas of the Marketplace Annexation area will be in City Council District 2.

K. SELECTED AREAS WITHIN CORPORATE BOUNDARIES WITH SIMILAR TOPOGRAPHY, PATTERNS OF LAND USE, AND POPULATION DENSITY

As the City of Fort Wayne has uniform service standards throughout its corporate boundaries, all areas of similar topography, patterns of land use, and population density receive the same level of service. A representative area within the City comparable in topography, patterns of land use, and population density to the Villas of the Marketplace Annexation area is the Trier Ridge Park Area (See Figure 3). See the following comparison of the two areas.

	<u>Villas of the Marketplace Annexation Area</u>	<u>Trier Ridge Park</u>
Topography	0 to 6% slope, Morley-Blount	0 to 6% slope, Morley-Blount
Patterns of Land Use	Residential and Institutional with some Office facilities	Residential and Institutional
Population Density	3.66 persons per acre	3.36 persons per acre





No areas within the City with similar topography, patterns of land use, and population density as the Villas of the Marketplace Annexation area are receiving services higher in standard or greater in scope than those services promised the Villas of the Marketplace Annexation area.



## SECTION TWO

### THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of the Villas of the Marketplace area is part of a larger comprehensive annexation program prepared by the Department of Community Development and Planning, which was promulgated in a report in 1975 and which was subsequently updated in 1976. The Annexation Policy and Program Study was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all urban land contiguous to the City limits should become part of the City" as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Villas of the Marketplace area met this criteria in 1975-76, the report identified it as part of a larger area which was recommended for annexation.

## SECTION THREE

### STATE LAW REQUIREMENTS

#### A. INTRODUCTION

When pursuing an annexation, a municipality must ensure that the proposed annexation is in accordance with the State Law requirements as set forth in IC 36-4-3. The statute mandates that the courts accept the annexation if the area meets either of the following criteria:

1. The boundaries of the annexation area must be at least one-eighth (12.5 percent) contiguous to the corporate limits, and the area must meet one of the following conditions:
  - a. Have a population density of at least three persons per acre; or
  - b. Be zoned for commercial, business, or industrial uses; or
  - c. Be at least 60 percent subdivided; or
2. The boundaries of the annexation area must be at least one-fourth (25 percent) contiguous to the corporate limits, and the area must be needed and can be used by the municipality for its development in the reasonably near future.

In either case, the municipality must also prepare a written Fiscal Plan for providing services to be furnished to the annexed territory, together with the methods for financing such services. The Villas of the Marketplace Annexation meets option one which has been established to determine the validity of annexations. The remainder of the section will be devoted to explaining how this annexation meets the State Law requirements.

#### B. One-Eighth Contiguous

Figure 4 illustrates the length of the external boundaries of the annexation area. As can be seen, 75.76% of the annexation area's boundaries are contiguous to Fort Wayne. Therefore, this annexation easily meets the one-eighth (12.5%) contiguity requirement mandated by State Statute.



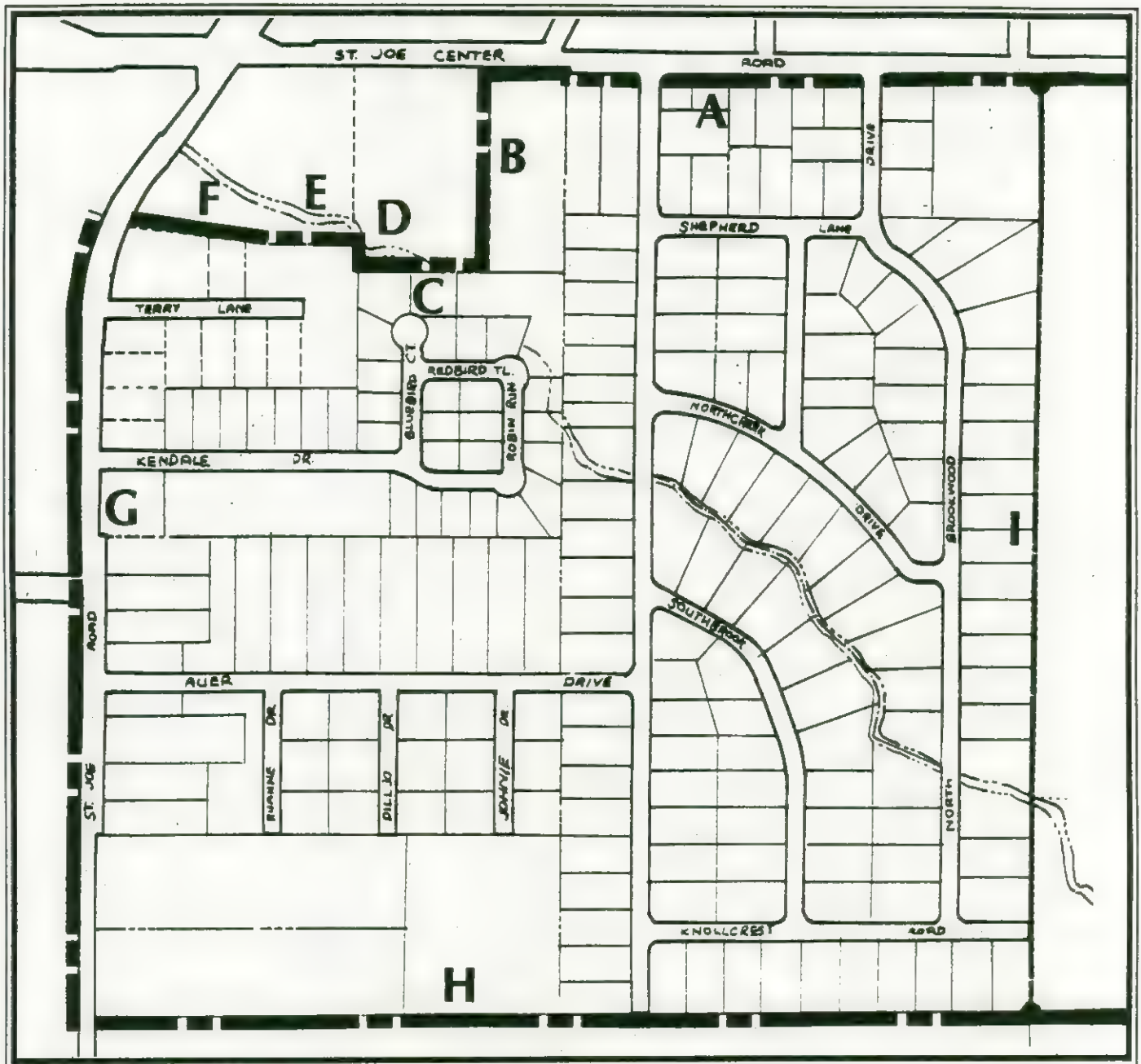
As mentioned in the introduction, if the annexation is at least one-eighth contiguous (12.5%) to the municipality, it can be annexed if any of the three additional conditions are met. The Villas of the Marketplace Annexation meets the first condition in that it has over three (3) persons per acre. The Villas of the Marketplace Annexation also meets the third condition since it is over 60% subdivided (See Figure 4).

#### C. CONCLUSION

The Villas of the Marketplace Area should be annexed into Fort Wayne because it satisfies the requirements that have been established by the State Legislature. The annexation area is 75.8% contiguous to the City, is over 60% subdivided and contains more than three (3) persons per acre.

FIGURE 4

# VILLAS OF THE MARKETPLACE ANNEXATION



## Contiguity

CONTIGUOUS		NON-CONTIGUOUS	
A	1553.70'	I	2604.60'
B	571.00'		
C	367.10'		
D	73.24'		
E	214.70'		
F	500.00'		
G	2196.50'		
H	2664.50'		
<hr/>		<hr/>	
8140.74' (75.76%)		2604.60' (24.24%)	





## SECTION FOUR

### MUNICIPAL SERVICES

This section of the Fiscal Plan forecasts the costs and methods of financing services for the Villas of the Marketplace Annexation area. The plan also describes how and when the City plans to extend the services of a capital and non-capital nature. The following section demonstrates how the City will satisfy the requirements of Indiana State Law in provision of services and financing of same in an equitable manner.

As required by State Law, the annexation area will receive planned services of non-capital nature in a manner equivalent in standard and scope to those non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density. In addition, the annexation area will receive services of a capital improvement nature in the same manner as those services are provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density.

All services both of a non-capital nature and of a capital improvement nature described in subsequent subsections of the Municipal Services Section will be provided to the Villas of the Marketplace Annexation area in a manner equivalent in standard and scope to those capital and non-capital services provided to areas within the corporate boundaries that have similar topography, patterns of land use, and population density, including, but not limited to, the Trier Ridge Park area.

#### A. POLICE DEPARTMENT

The services provided by the Fort Wayne Police Department include the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, resolution of day-to-day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is involved in legal work and protection of constitutional rights. Lastly, the Police Department performs traffic control, promotes civil order and provides educational and technical assistance in the area of crime prevention and neighborhood services.

Police District #1 will be extended to cover the Villas of the Marketplace Annexation area upon annexation. The Police Department keeps records on the amount of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation. The cost to provide protection to the annexation area will be \$330 per year. This cost is based on a patrolman's average hourly rate of \$11.64 multiplied by an estimated 45 minutes spent per call. This amount is then multiplied by the estimated number of calls (36 per year) for service to this area. This total, which equals \$314, is the direct personnel cost. A small non-personnel cost of five percent (5%) is then added to the above total. This gives the overall cost of \$330 annually to service the annexation area. Funding for police service in the annexation area will be derived primarily from local property taxes through the General Fund.

Capital Costs: \$0

Estimated Annual Operating Costs: \$330

#### B. FIRE DEPARTMENT

The Fort Wayne Fire Department will be responsible for providing fire protection services to the Villas of the Marketplace Annexation area immediately upon annexation. The services provided include fire protection and suppression, emergency rescue, EMS support-first responder, emergency hazardous material response, fire prevention, and fire inspections. Primary response will come from Station 14 located at 3400 Reed Road. The response time from Station 14 to the annexation area is approximately 4 to 6 minutes. One Class A pumper and one emergency medical car are located at this station. Secondary response will come from Station 13 located at 1100 Coliseum Blvd. East with a response time of 4 to 6 minutes and also from Station 10 located at 1245 East State with a response time of 6 to 8 minutes.

The annexation of the Villas of the Marketplace area will not require a new fire station nor will it require additional personnel or equipment. For the year 1990, the cost per run was approximately \$920, which represents the cost per run for the operation of the total department. The estimated number of runs into this area would be one (1) per year. The only additional expense is expected to be operating costs, including gasoline, postage, and photography. These operating costs are considered to be negligible since the annexation area represents only a small fraction of the total



area serviced by the City. Funding for this increment in operating costs will come from the Fire Department's budget through the General Fund.

CAPITAL COSTS:	\$0
ESTIMATED ANNUAL OPERATING COSTS:	\$920

C. EMERGENCY MEDICAL SERVICE (EMS)

At the present time, Three Rivers Ambulance Authority is the only provider of ambulance service to city residents. Persons in the Villas of the Marketplace Annexation area are currently receiving full advanced life support ambulance service provided by the TRAA and will continue to do so upon annexation.

A number of ambulances are stationed throughout the City 24 hours a day. Upon receiving a request for service from the annexation area, the ambulance closest to the area will be dispatched. For some emergencies, such as heart attacks, the Fort Wayne Fire Department will provide assistance. Primary assistance will come from Station 14. Secondary assistance from the Fire Department will come from Stations 10 and 13. The Fire Department trains a number of its personnel so that each fire station has an emergency medical technician. Therefore, if needed, fire fighters are able to administer medical treatment to residents before the ambulance arrives.

The method of financing emergency medical services is based on user fees. The charges for ambulance service are shown below:

1. \$120 plus \$5 per loaded mile for non-emergency transfers scheduled 24 hours in advance.
2. \$170 plus \$5 per loaded mile for non-scheduled non-emergency transfers
3. \$380 plus \$7.50 per loaded mile for emergencies for all City and non-City residents.

This method of financing permits service to be extended to the annexation area with its existing budget and no additional manpower or equipment will be needed to service the annexation area.

ESTIMATED ANNUAL COST: \$0

D. SOLID WASTE DISPOSAL

The City of Fort Wayne will provide garbage collection to residential customers in the Villas of the Marketplace area immediate after the effective date of the annexation. The City currently contracts with Waste Management to supply this service.

According to the contract agreement, the City is charged a tonnage cost of \$42.85 for solid waste pick-up. This cost amounts to approximately \$55.10 per household, per year, for this service. Consequently, annexation of 257 residences in the Villas of the Marketplace Annexation area will cost \$14,161 per year. Solid waste collection will be financed by the City's Garbage Disposal Fund which comes from the General Fund.

CAPITAL COSTS: \$ 0

ESTIMATED ANNUAL COST: \$14,161

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the annexation area immediately after the effective date of annexation. Some of the services that can be provided by the department are surveys and investigations of traffic conditions and problems. Finally, the department provides installation and maintenance of traffic control devices such as traffic lights and control signs.

The following information, shown on the next page, details the number and types of additional signs needed in the Villas of the Marketplace annexation area and the cost incurred by the Traffic Engineering Department for their installation.

The Traffic Engineering Department will not require additional personnel to perform its services in the Villas of the Marketplace Annexation area. Capital and labor costs will be \$1,207.50 for the installation of street and dead end signs in the area.

CAPITAL COSTS: \$1,208

ESTIMATED ANNUAL COST: \$0

# STREET SIGNAGE COSTS

<u>TYPE</u>	<u>SIZE</u>	<u>No. REQ.</u>	<u>COST</u>	<u>TOTAL COST</u>
Dead End	24" X 24"	3	\$14.10	\$ 42.30
Street Name	30" X 6"	13	\$52.40	<u>\$681.20</u>
				\$723.50
<u>Post</u>				
12' 2 lb.		16	\$11.80	<u>\$188.80</u>
<u>LABOR</u>				<u>\$295.20</u>
GRAND TOTAL LABOR AND MATERIAL:				<u>\$1,207.50</u>

## F. STREETS AND ROADS

The incorporation of the Villas of the Marketplace area will add .41 miles of arterial streets and 2.69 miles of residential streets in good to fair condition. The Fort Wayne Street Department will be responsible for the general maintenance of all of the streets in the annexation area immediately after the annexation takes place. General maintenance includes snow and ice removal, and surface maintenance. The Street Engineering Department will provide engineering services and construction supervision for all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. To provide the services to the annexation area one (1) additional person and one (1) dump truck will be needed. A fully equipped 5-ton dump truck with complete snow and ice control equipment will cost approximately \$40,000, and an additional maintenance employee will cost \$21,000 annually. The cost of the truck can be extended over a five (5) year period if the truck is purchased through a lease agreement. The annual cost for the truck through a lease agreement would be approximately \$9,618 per year.

The average cost of general street maintenance is \$5,912 per mile of street per year, so the annexation will cost the City approximately \$15,904 a year in street maintenance cost. The source of funding for street maintenance is the Street Department's budget which is composed of funds from the Motor Vehicle Highway (MVH) Program. The Street Engineering Department funds come from the Motor Vehicle Highway, Federal Aid Urban (FAU), and Local Arterial Roads and Streets (LARS) Program.



Besides the maintenance service just discussed, the Street Department will improve streets upon receipt of a petition from the property owners. Arterial and often collector streets can be improved with funding from accounts such as FAU and LARS. The cost to improve other residential streets will be split between the property owners petitioning for the improvements and the City. The City's share will come from Motor Vehicle Highway funds. All petitions from the annexation area will be treated equally with other petitions in the City and honored according to the same criteria such as filing date and amount of money available in any particular year. If annexed, the residents will be able to use Barrett Bonding as a capital source to finance their share of the street project.

CAPITAL COSTS: \$40,000

ESTIMATED ANNUAL COST: \$36,904

#### G. PARKS AND RECREATION

Residents of the Villas of the Marketplace Annexation area presently have access to city park facilities such as swimming pools, baseball diamonds, indoor and outdoor skating, golf courses, and picnic facilities, etc. No new park will need to be developed for the Villas of the Marketplace Annexation area. Residents are in close proximity to Shoaff Park, a 169 acre community park.

CAPITAL COSTS: \$0

ESTIMATED ANNUAL COST: \$0

#### H. WATER

The Fort Wayne Water Utility is presently serving a majority of the annexation area. The extension of water services to individuals not presently being served will be considered once the property owners in the area petition for such service. If property owners petition for water service they will have to pay for the service. The property owners may finance the cost for installation on either a cash basis, or with Revolving Barrett Bonding.

CAPITAL COSTS: \$0

ESTIMATED ANNUAL COST: \$0

#### I. FIRE HYDRANTS

The City pays the Fort Wayne Water Utility \$221.26 annually for each fire hydrant located within the City. Since the annexation area contains 11 fire hydrants, the City will pay the utility \$2,433.86 a year after the area is annexed into the City. This money will be taken from the General Fund.

Capital Costs:	\$0
Estimated Annual Cost:	\$2,434

#### J. SANITARY SEWER

The Fort Wayne Water Pollution Control (W.P.C.) Department presently provides sanitary sewers to over 90% of the annexation area. The remaining unsewered area may be considered for a possible sewer extension project in the future. However, the residents of the unsewered area will first have to petition the Board of Public Works for sewers.

Upon annexation, the residents will be able to take advantage of the Barrett Bonding process which permits residents to make long-term, low interest payments for their sewers.

CAPITAL COSTS:	\$0
ESTIMATED ANNUAL COST:	\$0

#### K. STORM SEWERS

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the property owners of the area. The City does not have storm sewer relief funds available for this type of project. It is the City's policy, for all properties within the City, that the financing of storm sewers is the responsibility of property owners.

CAPITAL COSTS:	\$0
ESTIMATED ANNUAL COST:	\$0

#### L. STREET LIGHTING

It is the goal of the City of Fort Wayne Street Lighting Department to light every unlit intersection within the City limits, to reduce night accidents, facilitate traffic flow, aid police protection, and inspire community spirit and growth. Therefore, the City will place street lights at the twenty-six intersections in the annexation area. If additional lighting is desired, residents must petition for them from the Street Light Engineering Department. Petitions will be treated the same as those from other areas within the City. Priority will be assigned based on need, filing date and available funding.

The City will also purchase and assume all costs for existing lighting located within the public right-of-way upon the effective date of annexation.

The City will pay for the construction costs of City standard lighting. These capital costs will be funded from the General Fund. Operating costs are paid by the City through its regular departmental budget. Additional mid-block lighting must be petitioned for by the residents involved, per State Statute. If the residents prefer to have ornamental lights, they would also have to petition for them and would be assessed for the cost of such installation.

It is assumed that the twenty-six additional street lights will be constructed in the third year and that the operating costs will be computed as an annual operating cost from that year on.

CAPITAL COSTS:	\$900 (first year)
	\$17,160 (third year)
ESTIMATED ANNUAL COST:	\$131 (years one - three)
	\$1,269 (after year three)

#### M. ANIMAL CONTROL

The Villas of the Marketplace Annexation area is located within the north district of the Animal Control Department. Currently, the north district is not at capacity. Therefore, costs would be negligible to provide this service to the area.

CAPITAL COST:	\$0
ESTIMATED ANNUAL COSTS:	\$0



N. ADMINISTRATIVE SERVICES

All administrative functions of the City will be available to the Villas of the Marketplace Annexation area immediately upon the date of annexation. These services include, but are not limited to, the Law Department, the City Plan Commission, the Mayor's Office, the Board of Works, the Metropolitan Human Relations Department, the City Clerk's Office, the Citizen's Advocate Office, etc. General administration includes all of the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

CAPITAL COSTS: \$0

ESTIMATED ANNUAL COST: \$0

## SECTION FIVE

### PLAN FOR HIRING GOVERNMENTAL EMPLOYEES DISPLACED BY ANNEXATION

It is not anticipated that due to the annexation of the Villas of the Marketplace area, any governmental employees will be eliminated from other governmental agencies. However, if any governmental employee is displaced as a result of this annexation and makes application with the City of Fort Wayne for employment within thirty days after displacement, such employee will be treated as if the employee were a City employee on "lay-off" status for purposes of hiring for any vacant position similar to the government position from which the individual was displaced.

## SECTION SIX

### FINANCIAL SUMMARY AND RECOMMENDATION

The purpose of this section is to project the revenues and expenditures from the proposed Villas of the Marketplace Annexation. This section also provides a five-year summary of the expenditures compared with the revenues.

#### A. REVENUES

Property taxes are the main source of revenue to be received from the Villas of the Marketplace Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area and can be obtained from the Office of the St. Joseph Township Assessor. The formula for computing tax revenue is shown in the following table:

TABLE 1

#### Tax Revenue Formula

$$\frac{V-E}{100} (T) = TR$$

WHERE:	V	=	Assessed Valuation
	E	=	Home Mortgage Exemption
	T	=	City Tax Rate
	TR	=	Tax Return

The total assessed valuation (this includes all properties in the annexation area) of the proposed Villas of the Marketplace Annexation is \$3,460,640. The home mortgage exemption is deducted from this total. There are 218 dwelling units within this annexation area and it is assumed that each one is eligible for the \$1,000 exemption mentioned above. The total taxable assessed valuation of the annexation area becomes \$3,242,640 after the calculation is made. The City's property tax revenue for 1990 can then be determined by applying the Fort Wayne/St. Joseph Municipal tax rate (3.2533 per each \$100 of assessed evaluation ) to this figure giving a total property tax revenue of \$105,493. Table 2, which follows, details the components of this tax rate. Using a 3 percent rate of inflation, the property tax revenue for 1993, the first year that taxes would be due to the City after annexation would be \$115,275. A portion of this revenue would be supplied from the State Property Tax Relief Fund.



This annexation will also enable the City to receive additional money from the Motor Vehicle Highway (MVH) and from the Local Arterial Roads and Streets (LARS) Funds. This is because these funds are allocated according to street miles. In 1989, the City received \$5,070 per street mile from the Motor Vehicle Highway (MVH) Fund and \$2,433 from the Local Arterial Roads and Street (LARS) Fund. The annexation area will add 3.1 miles to the City's street system. Therefore, the City will receive an additional \$15,717 from the Motor Vehicle Highway (MVH) Fund and an additional \$7,542 from the Local Arterial Roads and Streets (LARS) Fund because of the Villas of the Marketplace Annexation.

TABLE 2

Taxing District Rate

Corporation General	\$1.6607
Corporation Debt Service	.3634
Firemen Pension	.1359
Policemen Pension	.1209
Sanitary Officers Pension	.0162
Fire	.6563
Park General	.2897
Redevelopment General	.0102
	<hr/>
	\$3.2533

In addition to property taxes and highway funds, the City receives revenues from the Community Development Block Grant, the Cigarette Tax, the County Option Income Tax (COIT), and the Alcoholic Beverage Tax. Some of these funds are based in part on the City's population and some are based on the tax levy. Since population is only one element of a very complex distribution formula, the direct contribution of the Villas of the Marketplace Annexation cannot be calculated. Still, most of these funds will increase with city population increases.

## B. EXPENDITURES

Expenditures which were reported in the section on Municipal Services are summarized in Table 3. Capital costs are one time expenditures, while operating costs are continuing expenses. Since the needs of the annexation area must be treated equally with the needs of other similar areas in Fort Wayne, capital improvement projects, such as construction of streets, curbs, and sidewalks, must follow routine city procedures which often require petitioning.

Table 3 below, details the costs that will be incurred by each department upon the annexation of the Villas of the Marketplace Area.

TABLE 3  
EXPENDITURES

<u>DEPARTMENTS</u>	<u>CAPITAL COSTS</u>	<u>OPERATING COSTS</u>
Police Department	\$ 0	\$ 330
Fire Department	0	920
EMS	0	0
Solid Waste Disposal	0	14,161
Traffic Control	1,208	0
Streets	40,000	36,904
Street Lighting (first year)	900	131
Street Lighting (third year)	17,160	1,269
Parks	0	0
Water	0	0
Fire Hydrants	0	2,434
Sanitary Sewer	0	0
Storm Sewer	0	0
Animal Control	0	0
Administrative Functions	0	0
	<hr/>	<hr/>
TOTALS	\$59,268	\$56,149

### C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Villas of the Marketplace Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years a 7 percent inflation factor for municipal expenditures, and a 3 percent increase factor for City revenues.

Property tax revenue from the annexation area will not be collected until 1993. Assuming the area is annexed in December of 1991, assessment will not occur until March of 1992, with revenues being collected in 1993. Since revenues are not collected for one year after the effective date of annexation, the City will experience a loss of \$75,318 in 1992. Table 4 below, details the revenues minus the expenses for the Villas of the Marketplace area over the next five year period.

TABLE 4  
REVENUES MINUS EXPENSES

	EXPENDITURES	PROPERTY TAX REVENUE	MVH & LRS	BALANCE
1992	\$ 75,318			\$ -75,318
1993	76,848	\$115,275	\$ 23,259	+61,686
1994	104,048	118,733	23,259	+37,944
1995	88,187	122,295	23,259	+57,367
1996	93,686	125,964	23,259	+55,519
	<hr/>	<hr/>	<hr/>	<hr/>
	\$438,087	\$482,267	\$93,036	\$+137,198

### D. RECOMMENDATIONS

This Fiscal Plan, which meets the State law requirements that a fiscal plan be prepared, shows that the Villas of the Marketplace Annexation is in accordance with the applicable State Statutes. Therefore, it is recommended that after the passage of the annexation ordinance and its approval by the Mayor, this area should be annexed by the City of Fort Wayne on December 31, 1991.



## VILLAS OF THE MARKETPLACE ANNEXATION LEGAL DESCRIPTION

Part of the Northwest Quarter of Section 20, and the Northeast Quarter of Section 19, Township 31 North, Range 13 East, Allen County, Indiana; more particularly described as follows, to-wit:

Beginning at the intersection of the West right-of-way line of St. Joe Road with the South line of the Northeast one quarter of Section 19, Township 31 North, Range 13 East; thence North along the West right-of-way line of St. Joe Road to the prolonged South line Southwest of Ordinance No. X-02-76; thence following in an Easterly direction along the prolonged and South line of Ordinance No. X-02-76; being the existing City limits line, to the Southeast corner of Ordinance No. X-02-76; thence in a Northerly direction of the East line of Ordinance No. X-02-76; being the existing City Limits line, to the South right-of-way line of St. Joseph Center Road; thence in an easterly direction along the South right-of-way line of St. Joseph Center Road to its intersection with the East line of the Northwest quarter of Section 20, Township 31 North, Range 13 East; thence South along the East line of the Northwest quarter of Section 20, Township 31 North, Range 13 East, to the South line of the Northwest quarter Section 20, Township 31 North, Range 13 East; thence West along the South line of the Northwest quarter of Section 20, Township 31 North, Range 13 East, to its intersection with the West line of the Northwest quarter of Section 20, Township 31 North, Range 13; thence continuing West along the South line of the Northeast quarter of Section 19, Township 31 North, Range 13 East, to the point of beginning on the West right-of-way line of St. Joe Road.



TABLE 5  
ST. JOSEPH TOWNSHIP TAX RATES  
1989 PAYABLE 1990

		ST. JOSEPH TRANSIT	FT WAYNE ST. JOSEPH
STATE	St. Fair Board	.0035	.0035
	St. Forestry	.0065	.0065
	Welfare HCI	.0500	.0500
	Welfare Administration	.0704	.0704
	Total	.1304	.1304
COUNTY	County General	.7802	.7802
	County Welfare	.1216	.1216
	County Health	.0412	.0412
	Cumulative Bridge	.0374	.0374
	County Bond	.0980	.0980
	Cumulative Captial Dev.	.0524	.0524
	Reassessment	.0100	.0100
	Welfare Med. Ast. Ward	.0058	.0058
	Total County	1.1466	1.1466
TOWNSHIP	Township General	.0022	.0022
	Poor Relief	.0073	.0073
	Fire Debt.	.0572	.0005
	Township Recreation	.0005	.0000
	Township EMS	.0039	.0000
	Total Township	.0711	.0100
SCHOOLS	School General	2.4911	2.4911
	Debt. Service	.0713	.0713
	School Transportation	.3667	.3667
	Art Institute	.0050	.0050
	Captial Projects	.6215	.6215
	Racial Balance	.2000	.2000
	Total School	3.7556	3.7556
AIRPORT AUTHORITY	Airport General	.0763	.0763
	Airport Debt.	.0185	.0185
	Total Airport	.0948	.0948

LIBRARY	Library General	.2905	.2905
	Library Debt.	.0399	.0399
	Total Library	<u>.3304</u>	<u>.3304</u>
PTC	PTC General	.0999	.0999
	PTC Debt.	.0333	.0333
	Total PTC	<u>.1332</u>	<u>.1332</u>
CITY AND SPECIAL TAXING DISTRICT	Corporation General	.0000	1.6607
	Redevelopment General	.0000	.0102
	Corp. Debt. Service	.0000	.3634
	Firemen Pension	.0000	.1359
	Policemen Pension	.0000	.1209
	Park General	.0000	.2897
	Sanitary Officers Pen.	.0000	.0162
	Fire	.0000	.6563
	Total City and Special Taxing District	<u>.0000</u>	<u>3.2533</u>
	TOTAL TAX RATE	5.662100	8.854300
	Replacement Credit (% of total tax rate paid by State)	15.8987%	17.1597%
	NET TAX RATE (total tax rate less % paid by State)	4.761900	7.334929



